

BOARD OF APPEALS CASE NO. 4851

*

BEFORE THE

APPLICANT: Bulle Rock, Inc.

*

ZONING HEARING EXAMINER

REQUEST: Modification of Board of Appeals Case No. 4583, to permit restaurant and grounds open to general public for non-golf events; 320 Blenheim Road, Havre de Grace
HEARING DATE: December 9, 1998

*

OF HARFORD COUNTY

*

Hearing Advertised
Aegis: 10/14/98 & 10/21/98
Record: 10/16/98 & 10/23/98

*

*

* * * * *

ZONING HEARING EXAMINER'S DECISION

The Applicant, Bulle Rock, Inc., appeared before the Hearing Examiner requesting a modification of Board of Appeals Case No. 4583, pursuant to Section 267-52(B) and 267-52(C) of the Harford County Code, to allow the restaurant located on the property to be opened to the public generally and for the restaurant and golf course grounds to be used for non-golf related events.

The subject property is located at 320 Blenheim Road in the Sixth Election District. and is more particularly identified as Parcel No. 51, in Grid 2D on Tax Map 52. The parcel is zoned Agricultural, Residential and General Industrial.

Mr. Rick Rounsaville appeared and testified on behalf of the Applicant. He stated that the subject property is the site of the Bulle Rock Golf Course which was approved in Board of Appeals Case No. 4583. He indicated that the Applicant is requesting approval to open the restaurant located in the clubhouse on the property to the public generally and to hold wedding receptions, dinner parties, fund-raisers, business meetings and other functions typically held at country clubs on the site. Other than requesting approval to open the restaurant and hold these functions, no changes to the approved golf course use are being requested. He indicated that the Applicant has received requests to hold such functions on the site. He stated that there is more than ample parking on the site to accommodate traffic generated from the functions.

Case No. 4851 - Bulle Rock, Inc.

Mr. Rounsaville testified that granting the Applicant's request would not cause any harm to anyone in any way in that the clubhouse was located in the center of the property, a great distance from any adjoining property owners.

Anthony S. McClune, Chief of Current Planning for the Department of Planning and Zoning, testified that the Department recommended approval of the Applicant's request without conditions. He pointed out that the requested uses are common for golf clubs and country clubs, access to the site is from U.S. Route 40 and adequate parking is provided.

No protestants appeared in opposition to the Applicant's request.

CONCLUSION:

The Applicant is requesting a modification of Board of Appeals Case No. 4583, pursuant to Section 267-52(B) and 267-52(C) of the Harford County Code, to allow the restaurant located on the property to be opened to the public generally and for the restaurant and golf course grounds to be used for non-golf related events.

Section 267-52(B) and 267-52(C) of the Code provide as follows:

- B. A special exception grant or approval shall be limited to the final site plan approved by the Board. Any substantial modification to the approved site plan shall require further Board approval.
- C. Extension of any use or activity permitted as a special exception shall require further Board approval.

Section 267-9(I) of the Code provides, in pertinent part, that:

...(t)he Board shall not approve an application if it finds that the proposed building, addition, extension of building or use, use or change of use would adversely affect the public health, safety and general welfare or would result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood.

Case No. 4851 - Bulle Rock, Inc.

Based on the testimony presented and the Staff Report, the Hearing Examiner finds that the request to allow non-golf related functions on the site as described by the Applicant's witness would not adversely affect the public health, safety and general welfare or would result in dangerous traffic conditions or jeopardize the lives or property of people living in the neighborhood. Ample on site parking will be provided and access is from U.S. Route 40. Given the size of the property and the location of the clubhouse, allowing these functions, which are typically conducted at golf courses and country clubs, will not cause adverse impact.

Therefore, it is the recommendation of the Hearing Examiner that the Applicant be permitted to open the restaurant located on the property to the public generally and for the restaurant and golf course grounds to be used for non-golf related events and functions, including, but not limited to, wedding receptions, fund-raisers, seated dinner receptions and business meetings.

Date **DECEMBER 14, 1998**

L. A. Hinderhofer
Zoning Hearing Examiner